

1 REMARKS

2 In the April 24, 2001, Office Action, the Examiner rejected
3 the pending claims under 35 U.S.C. § 102(e). In the ensuing
4 sections of this Amendment, applicants will respond to those
5 rejections and attempt to highlight the differences between the
6 amended claims and the cited references such that it becomes
7 apparent to the Examiner that these rejections should be
8 reconsidered.

9 In addition, applicants have canceled claim 1 and added new
10 claims 2-21 which more clearly and concisely define the
11 invention. In particular, applicants would like to draw the
12 Examiner's attention to their novel apparatus for a continuous
13 real-time building control and information monitoring system.
14 Applicants are unaware of anything like this in the prior art,
15 including the cited references. Applicants therefore
16 respectfully submit that claims 2-21 are now in condition for
17 allowance.
18

19 I. THE INVENTION

20 The present invention relates to an integrated building
21 control and information system, including the controlling and/or
22 monitoring of various building devices or appliances such as air
23 conditioning, lighting, temperature, humidity, etc., including

1 practically any environmental condition or mechanical operation
2 by users at both ends of the system. The system can incorporate
3 many communication possibilities between the central processing
4 unit and the various building devices and appliances as well as
5 the people depending on these devices and appliances. Such
6 communication possibilities could include e-mail messaging and
7 voice connection with a master controller. This is especially
8 novel in light of the prior art which has yet to incorporate
9 control systems integrated enough to enjoy end user control and
10 intervention communications. These communication possibilities
11 are in addition to the other wireless communication abilities of
12 the many device and appliance parts of the present invention.
13 For example, these parts can send information like amount of
14 energy consumption which allows the controlling devices to do
15 such tasks as compiling reports for environmental conservation
16 concerns.

17 Also, the invention relates to a system which includes a
18 vendor tracking system comprising an industrial operator
19 interface, with communication, local data processing, and data
20 storage capabilities, which provide an efficient information
21 resource for service and product control.

22 As an improvement on the prior art the present invention
23 embodies the high data throughput capacity to handle multiple

1 site inputs combined with multiple sites. The limited number of
2 inputs is predicated on reducing the cost of each respective
3 system, since severe physical limitations exist for analog
4 systems, the system must be reduced to entice the moderate size
5 facility, 10,000 to 50,000 square feet. Although the main
6 processor is capable of handling more information, the successful
7 systems have downsized its input capability and consequently, the
8 cost.

9 10 **II. THE EXAMINER'S REJECTIONS**

11 In the April 24, 2001, Office Action, the Examiner rejected
12 claim 1 under 35 U.S.C. § 102(e) as "being anticipated by Salazar
13 et al. (5,802,467)" ("Salazar"). In the opinion of the Examiner:

14 "Salazar discloses an information system with
15 wireless networking comprising: (a) a
16 communication media means; (b) a central
17 processing unit; (c) a controller device; (d)
18 a utility monitoring device; (e) a port
19 combiner; (f) a first data converter; (g) at
20 least one first wired module; (h) at least
21 one second wired module; (i) at least one
22 wired utility node; (j) a radio frequency
23 master device; (k) a radio frequency
24 satellite device; (l) a second data
25 converter; (m) at least one satellite module;
26 (n) at least one second satellite module; (o)
27 at least one satellite utility node; wherein
28 at least one of said first wired module,
29 second wired module, said wired utility node,
30 said at least one first satellite module,
31 said second satellite module and said second
32 satellite module and said satellite utility

1 node, said at least one first satellite
2 module, said second satellite module and said
3 satellite utility node receives and transmits
4 data to said central processing unit via said
5 radio frequency satellite device and said
6 frequency master device using said satellite
7 data converter and said data converter. Thus
8 the limitations are read in reference."

9 Applicants firmly believe that the above amendments and the
10 comments that follow will convince the Examiner that these
11 rejections should be reconsidered and withdrawn. In short,
12 applicants' invention is different from that disclosed in the
13 prior art -- including Salazar.

14
15 **III. EXAMINERS REJECTIONS**
16 **SHOULD BE RECONSIDERED**

17 Applicants respectfully submit that the present invention as
18 now claimed in claims 2-21 is neither rendered obvious nor
19 anticipated by the cited reference. On further reflection, we
20 are confident that the Examiner will recognize that any
21 rejections based on Salazar could only be the result of hindsight
22 reconstruction of the applicants' invention.

23 With respect to the rejections of claim 1 under 35 U.S.C. §
24 102(e) as being anticipated by Salazar, it is black letter law
25 that to be anticipatory, a prior art reference must disclose each
26 and every element of the claim or claims at issue -- Salazar
27 falls short of this requirement. In particular, Salazar fails to

1 teach or suggest an integrated building control and information
2 system wherein remote components collect (or detect), transmit,
3 and/or receive data to provide a complete building control
4 system. Conversely, Salazar discloses a system which is not
5 capable of receiving and/or transmitting data via an RF
6 communication system for providing complete building control,
7 such as the claimed invention.

8 In brief, applicants submit that Salazar teaches nothing
9 more than a wireless communications network for transferring data
10 or voice information to remote accessories. More specifically,
11 Salazar discloses a wireless and wired communications, command,
12 control and sensing system, in the form of a remote handset
13 and/or base station controlled by a user interface (see col. 2,
14 line 66 through col. 3, line 2). As disclosed in Salazar, this
15 system is designed to communicate with external appliances for
16 command purposes. Furthermore, the system is designed to receive
17 signals and/or sense physical phenomena differentials from these
18 external appliances and alert a user or react through a
19 predetermined response. To control the external appliances, the
20 system is limited to user input at the user interface or through
21 programmed responses which react to signals sent from the
22 external appliances. This is very different from the claimed
23 invention.

1 In contradistinction, the present invention provides an
2 integrated building control and information system, including the
3 controlling and monitoring of various building devices or
4 appliances such as air conditioning, lighting, temperature,
5 humidity, etc., including most environmental conditions or
6 mechanical operations, as discussed herein above. More
7 particularly, as claimed, the system according to the present
8 invention comprises, in relevant part, "a master control network"
9 (for example, CPU 20 serves as a single point of remote
10 communication for a plurality of sub-systems to control, monitor
11 and/or regulate these sub-systems (see specification page 31,
12 lines 19-22), "at least one sub-system" (for example, the system
13 may comprise controller-RF, controller, utility-RF, utility, VTS-
14 RF and/or VTS sub-systems which are each capable of operating
15 independently of each other (see specification page 31, line 23
16 through page 32, line 3), and "a radio frequency communications
17 network" (for example, the system may comprise a 2.4 Gigahertz,
18 microwave, radio frequency wireless transmitter/receiver with a
19 data format converter (see specification page 14, line 16 through
20 page 15, line 1) for wireless/remotely transmitting data between
21 the master control network and the subsystem. Nowhere does
22 Salazar teach or suggest such a system.

23 Rather, as mentioned herein above, Salazar merely discloses

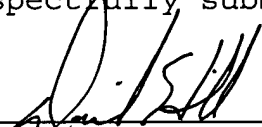
1 a communications, command, control and sensing system for
2 communicating with external devices comprising a microprocessor,
3 a memory device (e.g., to store parameter sets), a user interface
4 coupled to said microprocessor, and an infra-red frequency
5 transceiver. In Salazar, col. 26, lines 14-17, the transceiver
6 coupled to the microprocessor is capable of "receiving from said
7 external devices, infra-red frequency signals". However, no
8 mention is made anywhere in Salazar that there is more than one
9 user controllable feature in Salazar. In other words, Salazar
10 merely teaches a highly intelligent remote control system
11 dependant on one central user interface. In contradistinction,
12 the present invention claims an integrated system comprising at
13 least one (and sometimes many) subsystems that function
14 independently of its master control network and allow users at
15 each subsystem to dictate control of the subsystem. Thus,
16 applicant respectfully submits that Salazar does not disclose
17 each and every element of claims 2-21, and the rejection under
18 §102 should be reconsidered and withdrawn.

1 CONCLUSION

2 In view of the foregoing, applicants respectfully submit
3 that the present invention represents a patentable contribution
4 to the art and the application is now in condition for allowance.
5 Early and favorable action is accordingly solicited.

Respectfully submitted,

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David M. Hill
Reg. No. 46,170
WARD & OLIVO
708 Third Avenue
New York, New York 10017
(212) 697-6262